

09/06/03
16569 U.S. PTO

Attorney's Docket: 906-03080601

Express Mail No.: EL 741138878 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22141 U.S. PTO
10/656610
09/06/03

NEW PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

DAVID A. FRAZER

For (title):

METHOD AND APPARATUS FOR ACQUIRING IMAGE CHARACTERISTICS

1. TYPE OF APPLICATION

This new application is for a(n) (check one applicable item below):

☒ Original

☐ Design

☐ Plant

ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED:

☐ Divisional

☐ Continuation

☐ Continuation-in-part (CIP)

PRIOR FILED PROVISIONAL APPLICATION

☐ THIS APPLICATION CLAIMS THE BENEFIT AND IS A FOLLOW-UP FILING TO THE FOLLOWING PROVISIONAL APPLICATION:

SERIAL NO.:

FILING DATE:

CERTIFICATE OF MAILING

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to: Mail Stop Patent Application

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

☐ 37 CFR 1.8(a)

with sufficient postage as first class mail.

☒ 37 CFR 1.10

as "Express Mail Post Office to Addressee"

Mailing label no.: EL 741138878 US

Date: September 6, 2003

Mary Kim

2. TYPE OF FILING

- ☐ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.
- ☐ This application claims the benefit of the priority date of an earlier filed _____ application (35 USC 119).
- ☒ This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- ☒ In any event, any parts of this application are missing, please treat this as filing under 37 CFR 1.53 as defined just above.

3. PAPERS ENCLOSED WHICH ARE REQUIRED FOR FILING DATE UNDER 37 CFR 1.53(b) :

- 12 Pages of specification
- 4 Pages of claims
- 1 Pages of Abstract
- 6 Sheets of drawing
 - ☒ formal
 - ☐ informal

4. ADDITIONAL PAPERS ENCLOSED

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleoside and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

5. DECLARATION OR OATH

- ☒ Enclosed
 - executed by (check all applicable boxes)
 - ☒ inventor(s).
 - ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
 - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
 - ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached.
- ☐ Not Enclosed.
 - ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all (he above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.
 - ☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d).

6. INVENTORSHIP STATEMENT

The inventorship for all the claims in this application are:

☒ The same

or

☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. LANGUAGE

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52(d).

8. ASSIGNMENT

☒ An assignment of the invention to MATCH LAB, INC.

☒ is attached.

☐ will follow.

9. CERTIFIED COPY

Certified copy(ies) of application(s)

(Country) (Appln no.) (Filed)

(Country) (Appln no.) (Filed)

(Country) (Appln no.) (Filed)

from which priority is claimed

☐ is(are) attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.

☐ will follow.

10. FEE CALCULATION (37 CFR 1.16)

A. ☒ Regular application

| CLAIMS AS FILED | | | |
|--|--------------|-------|---------------------------|
| Number filed | Number Extra | Rate | Basic Filing Fee \$750.00 |
| Total Claims 37 CFR 1.6(C) (<u>18</u> - 20 = <u>0</u>) | 0 | \$18 | 0 |
| Indep. Claims 37 CFR 1.16(b) (<u>2</u> - 3 = <u>0</u>) | 0 | \$84 | 0 |
| Multi dep claim(s), if any 37 CFR 1.16(d) | 0 | \$280 | 0 |

☐ Amendment cancelling extra claims enclosed.

☐ Amendment deleting multiple-dependencies enclosed.

☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation

\$ 750.00

B. ☐ Design application
(\$330.00-37 CFR 1.16(f))
Filing Fee Calculation \$ _____

C. ☐ Plant application
(\$520.00-37 CFR 1.16(g))
Filing Fee Calculation \$ _____

11. SMALL ENTITY STATEMENT(S)

☒ This is a filing by a small entity.

Filing Fee Calculation (50% of A, B or C above) \$ 375.00

12. REQUEST FOR INTERNATIONAL-TYPE SEARCH (37 CFR 1.104(d))
(complete, if applicable)

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. FEE PAYMENT BEING MADE AT THIS TIME

☐ Not Enclosed

☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

☒ Enclosed

| | |
|--|----------------------------|
| <input checked="" type="checkbox"/> basic filing fee | \$ <u>375.00</u> |
| <input checked="" type="checkbox"/> recording assignment (\$40.00; 37 CFR 1.21(h)) | \$ <u>40.00</u> |
| <input type="checkbox"/> petition fee for filing by other than all the inventors or persons on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h)) | \$ _____ |
| <input type="checkbox"/> for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) | \$ _____ |
| <input type="checkbox"/> processing and retention fee (\$120.00; 37 CFR 1.53(d) and 1.21(l)) | \$ _____ |
| <input type="checkbox"/> fee for international-type search report (\$40.00; 37 CFR 1.21(e)). | \$ _____ |
| Total fees enclosed | \$ <u>375.00 + \$40.00</u> |

14. METHOD OF PAYMENT OF FEES

☐ Check in the amount of \$ _____

☐ Charge Account No. _____ in the amount of \$ _____ .
A duplicate of this transmittal is attached.

☒ Form PTO-2038 (Credit Card Payment Form) enclosed for \$415.00.

15. AUTHORIZATION TO CHARGE ADDITIONAL FEES

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 500314.

☒ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.

☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fee under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due if not paid prior to due date to our Deposit Account 500314.

☐ Assignment Recordial fees.

16. INSTRUCTIONS AS TO OVERPAYMENT

☒ credit Account No. 500314.

☐ refund

Reg. No. 39,081

Tel. No.: (949) 251-0111
Fax No.: (949) 251-1588
E-Mail: CCHWU@EARTHLINK.NET
USPTO CUSTOMER NO.:
25864

WU & CHEUNG, LLP

By: Charles C.H. Wu
Charles C.H. Wu
7700 IRVINE CENTER DRIVE, SUITE 710
IRVINE, CALIFORNIA 92618-3043

☐ Incorporation by reference of added pages

☐ Plus Added Pages or New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added:_____.

☐ Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added:_____.

☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added:_____.

☐ Statement Where No Further Pages Added

(If no further pages form a part of this Transmittal then end this Transmittal with this page and check the following item)

☒ This transmittal ends with this page.

CERTIFICATE OF MAILING

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[] 37 19CFR 1.8(a)

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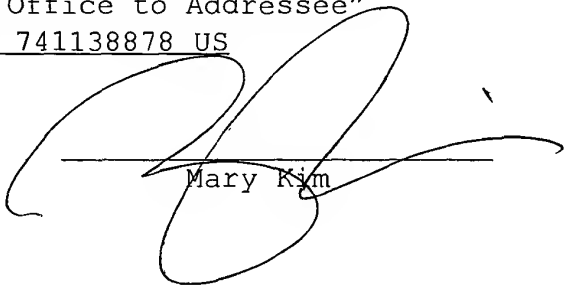
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Date: September 6, 2003



Mary Kim